

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CRAIG ALAN TOAZ,

Plaintiff,

v.

Z. ALBRIGHT, *et al.*,

Defendants.

No. 3:22-CV-00598

(Chief Judge Brann)

(Magistrate Judge Saporito)

ORDER

MARCH 1, 2023

Craig Alan Toaz filed this civil rights complaint alleging that several individuals violated his civil rights by falsifying certain documents.¹ On February 10, 2023, Magistrate Judge Joseph F. Saporito, Jr. issued a Report and Recommendation recommending that this Court dismiss Toaz's complaint, pursuant to Federal Rule of Civil Procedure 4(m), for failure to timely serve the defendants, and deny as moot Toaz's motions for injunctive relief.² No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.³ Regardless of whether objections

¹ Doc. 1.

² Doc. 18.

³ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁴ Upon review of the record, the Court finds no error in Magistrate Judge Saporito’s recommendation. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Joseph F. Saporito, Jr.’s Report and Recommendation (Doc. 18) is **ADOPTED**;
2. Toaz’s complaint (Doc. 1) is **DISMISSED** without prejudice in accordance with Federal Rule of Civil Procedure 4(m);
3. Toaz’s motions for a preliminary injunction (Docs. 2, 9, 13) are **DENIED** as moot; and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge

⁴ 28 U.S.C. § 636(b)(1); Local Rule 72.31.